

MEETING MINUTES
OFFENDER REGISTRATION WORKING GROUP

DATE: June 17, 2008

TIME: 1:00 – 2:00 p.m.

LOCATION: Johnson County Court Services, Olathe

Attendance:

Erik Wood, Manager PS&I, KBI Offender Registration Unit
Shelia Sawyer-Tyler, Administrative Officer, KBI Offender Registration Unit
Kelly McPherron, Assistant Attorney General, KBI
Emily Adams, Deputy, Shawnee County Sheriff's Office
Al Deathe, Sergeant, Douglas County Sheriff's Office
David A. Ricke, Judge, Butler County District Court
Melissa Purkeypile, 13th Judicial District Community Corrections
Tyler C. Lockett, Supreme Court Justice, Ret, Kansas Supreme Court
Lisa Fleming, Supervising Officer, Johnson County Adult Probation
Kim Kleinsorge, Detective, Sedgwick County Sheriff's Office
Stacey Donovan, Public Defender, Shawnee County Public Defender's Office
Sherry Anderson, Detective, Wyandotte County Sheriff's Office
Chris Reece, Juvenile Justice Authority
Jeff Duncan, Juvenile Justice Authority
Brant Barber, Johnson County Court Services
Michael McCulloch, Public Defender, Johnson County Public Defender's Office
Jennifer Roth, Public Defender, Shawnee County Public Defender's Office
Mike Freeman, Captain, Wyandotte County Sheriff's Office
Sam Leone, Lieutenant, Shawnee County Sheriff's Office
Charles Yates, Lieutenant, Leavenworth County Sheriff's Office

Minutes of the Meeting:

1. Erik Wood called the meeting to order and introduced himself as the Manager of the KBI Offender Registration Unit (ORU). The remaining attendees introduced themselves.
2. Erik provided a briefing of the last Working Group meeting. Copies of the ORWG meeting agenda and copies of proposed legislative changes were provided.
3. Erik advised that in the proposed legislation there would be no provision for retroactivity to register offenders with convictions prior to April 14, 1994 and there would be no changes to the juvenile portion of the statute as required by the Adam Walsh Act (AWA). Erik advised that he has discussed the proposed legislation with Attorney General Stephen Six and that the AG is in agreement. The proposed legislation will be introduced to the KS Legislature in January 2009. Since KS will not be fully compliant with the AWA, there is a potential loss of about \$101,000 in Byrne grant funds to the State.

Erik advised that the final AWA guidelines have been promised, but not yet distributed.

In reference to fully complying with AWA, Melissa asked “what is the right thing to do” and the group agreed that it would be appropriate to act in the best interest of public safety. Comments were made regarding the legality of supporting retroactivity and making changes to the juvenile portion of the legislation as well as the ability to enforce the additional requirements. Kelly discussed various parts of the proposed legislation that had changed as a result of discussions at the last ORWG meeting. Some miscellaneous changes/modifications were suggested. A lengthy discussion occurred regarding the severity level for failing to register. The current proposed legislation states that a first conviction for noncompliance is a severity level 6, person felony and a 2nd or subsequent conviction is a severity level 5, person felony. It was discussed that having the different severity levels could possibly give Prosecutors negotiating room on fail to register cases. However, it was believed by some that there really isn’t much difference between a level 5, person felony and a level 6, person felony and it was suggested to change the first conviction for noncompliance to a level 7, person felony. Erik advised that he would forward this suggestion to the Prosecutors on the ORWG for their input. Erik advised that currently the KBI Administration does not support lessening the penalty for failing to register, but he would be willing to propose the change.

A suggestion was made to ask that the Journal Entry of Judgment be changed to include a victim’s date of birth or age and sex at the time the offense occurred.

4. Erik discussed the new KBI Offender Registration website. The website has been tested. There were some minor problems identified as well as a few changes that needed to be made. As soon as the problems and changes are corrected, the website should be made available to the public. As of today, there is no expected date of completion.
5. Shelia discussed the upcoming Offender Registration training. Training will be provided on July 21st at the Finney Co Sheriff’s Office in Garden City, July 22nd at the Stockton City Hall in Stockton, July 23rd at the Saline Co Sheriff’s Office in Salina, July 24th at the Cowley Co Sheriff’s Office in Winfield and July 25th at the Douglas Co jail in Lawrence. All training sessions will begin at 9:00 a.m. and are expected to last about 3 hours. There is space available at all locations and if anyone would like to attend they can contact Shelia at (785) 296-6656 or by e-mail at shelia.sawyer@kbi.state.ks.us.
6. The next ORWG meeting will be October 7, 2008 at the Butler County Courthouse located at 201 W Pine, El Dorado, KS. If you need directions you may call Melissa Purkeypile at (316) 321-6303
7. Agenda for next meeting: To be announced
8. Meeting adjourned at about 2:00 p.m.